UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/955,331	09/19/2001	Harold Sasnowitz	02890043AA	9597

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ART UNIT	PAPER NUMBER
2194	

DATE MAILED: 05/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/955,331	SASNOWITZ, HAROLD
	Examiner	Art Unit
	Phuong N. Hoang	2194

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>21 March 2005</u>.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1 - 21* is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1 - 3, 8 - 10, and 12 - 15, and 20 - 21* is/are rejected.

7)☒ Claim(s) *4 - 7, 11, and 16 - 19* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some * c)☐ None of:

         1.☐ Certified copies of the priority documents have been received.

         2.☐ Certified copies of the priority documents have been received in Application No. _____.

         3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1 - 21 are pending for examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2.   Claims 20 is rejected under 35 U.S.C. 102(b) as being anticipated by Witek,

US patent no. 6,253,188.

3.   Witek reference was cited in the last office action.

4.   **As to claim 20**, Witek teaches a computer implemented system for providing

information concerning subject matter having multi-parameter configurations (selection

parameters, col. 13 lines 60 – col. 14 lines 15, and col. 15 lines 5 – 10), the system

including records (ad records, col. 13 lines 65 – 67) for desired multi-parameter

configurations, each of the parameters having a plurality of options (each primary

selection parameter has an associated record filed value, col. 15 lines 25 – 65), one of

the options for each parameter corresponding to the configuration (associated field

number used for purpose of identifying the parameter in connection with the an ad

search request to be described (col. 16 lines 5 – 20), each of the records (each ad

record including, col. 13 lines 65 – 67) including:

an identifier (identification number identification number used to designate the

primary selection parameters in connection with ad record search, col. 13 lines 60 – col.

14 lines 10, and col. 15) for the desired multi-parameter configuration, the identifier

including a digit for each parameter (parameters are taken as specific numeric value,

col. 15 lines 35 – 45) of the multi-parameter configuration, and

information concerning the subject matter having the multi-parameter (the subject

matter based on selection parameters, col. 18 lines 1 – 8) configuration identified by the

identifier (record are identified by record identification number, a set of primary selection

parameters 60, col. 13 lines 60 – col. 14 lines 15).

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

6.   **Claims 1 – 2, 8 – 10, and 12 – 14 are rejected under 35 U.S.C. 103(a) as**

being unpatentable over Witek, US patent no. 6,253,188.

7.   **As to claim 1,** Mitek teaches a method for identifying a configuration using an

identifier (identification number, col. 13 lines 60 – col. 14 lines 10) having a plurality of

digits, the configuration having a plurality of parameters (selection parameters, col. col.

13 lines 60 – col. 14 lines 15, and col. 15 lines 5 – 10) and each of the parameters

having a plurality of options (each primary selection parameter has an associated

record filed value, col. 15 lines 25 – 65), one of the options for each parameter

corresponding to the configuration (associated field number used for purpose of

identifying the parameter in connection with the an ad search request to be described

(col. 16 lines 5 – 20), the method including steps of:

        assigning each digit of the identifier to a different parameter (field identification

number used to designate the primary selection parameters in connection with ad

record search and parameters are taken as specific numeric value, col. 13 lines 60 –

col. 14 lines 10, and col. 15) of the configuration,

        assigning a value to each option for each parameter of the configuration (The

record field referenced value 68 of each of the respective fields referenced with

illustrative index 1 to N is a four byte binary value, col. 15 lines 25 – 30), and

        Mitek teaches selection parameter fields also have an associated field number

used for purpose of identifying the parameter in connection with the an ad search

request to be described (col. 16 lines 5 – 20).

        It would have been obvious to one of ordinary skill in the art to recognize that

Mitek constructs the associated field number associated with parameter would be used

for constructing the identifier based on the value of each option corresponding to the

configuration because the parameter is constructed based on the identification number

(identification number identification number used to designate the primary selection

parameters in connection with ad record search and parameters are taken as specific

numeric value, col. 13 lines 60 – col. 14 lines 10, and col. 15).

8.   **As to claim 2**, Mitek teaches the steps of selecting a radix for the identifier (radix

for the identification number, col. 15 lines 20 – 25), the radix is greater that the greatest

number of parameters of the configuration (As in the case of category and subcategory

identifications, ... radix could be use, col. 15 lines 20 – 25).

Mitek does not explicitly teach the step of the radix being equal to or greater than

the greatest number of options for a parameter of the configuration.

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the system to make used of radix for the number of

options for a parameter as a design choice.

9.   **As to claim 8**, this is the method claim of claim 1. See rejection for claim 1

above.

10.   **As to claim 9**, Mitek teaches the step of assigning to an option for a parameter

in excess of the tenth option is represented by a letter of the alphabet (N, col. 16 lines

25 – 35 and col. 16 lines 5 – 24).

11.   **As to claim 10**, Mitek teaches the step of wherein the options for a parameter

include more than one set of options (the record field value 68 for each of the respective

fields, col. 15 lines 25 – 30).

12.   **As to claim 12**, this is the method claim of claim 8. See rejection for claim 8

above.

13.   **As to claim 13**, this is the method claim of claim 1. See rejection for claim 1

above.

14.   **As to claim 14,** see rejection for claim 2 above.

15.   **Claims 3 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable**

over Witek, US patent no. 6,253,188 in view of Reach, US patent no. 4,381,554.

16.   Reach reference was cited in the last office action.

17.   **As to claim 3**, Mitek teaches the step of the digits of the identifier ranging from at

least significant rightmost digit having a digit place of one to a most significant leftmost

digit, each digit to the left of the least significant rightmost digit having a digit place

equal to one plus the digit place of the immediate adjacent right digit (digit range from

01 – 99).

Mitek does not explicitly teach the step of assigning an exponent to each digit of

the identifier and the exponent being equal to the digit place minus one

Reach teaches the step of assigning an exponent to each digit of the identifier

(identification of the proper positive or negative exponent, col. 2 lines 53 – 60).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to combine the teaching of Mitek and Reach's system because

Reach's exponent would provide the easy way of calculation for storing source data,

and so easy to retrieve.

18.   **As to claim 15**, see rejection for claim 15 above.

19.   **Claims 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Witek, US patent no. 6,253,188 in view of Dyer, US patent no. 6,725,235.**

20.   Dyer reference was cited in the last office action.

21.   **As to claim 21**, Mitek does not teach the step of the multi-parameter

configuration identified by the identifier includes an illegal configuration reference if the

multi-parameter configuration is not valid for the subject matter.

Dyer teaches the step of the multi-parameter configuration is not valid (symbol

represented..... invalid value, col. 4 lines 52 – 67).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to combine teaching of Mitek and Dyer's system because Dyer's

identifying invalid parameter would prevent invalid data in the database to prevent the

crash when trying retrieving data that including invalid data.

Allowable Subject Matter

22.   Claims 4 – 7, 11, and 16 – 19 are objected to as being dependent upon a

rejected base claim, but would be allowable if rewritten in independent form including all

of the limitations of the base claim and any intervening claims.

Response to Arguments

23.   Applicant's arguments filed on 3/21/05 have been fully considered but they are

not persuasive.

24.   Applicant argued in substance that

        (1)   None of the references cited by the Examiner teach or suggest a system

        and method accommodating records of devices having multi-parameter

configurations that facilitates storage, searching and retrieval of computerized

information by providing unique identification for every possible configuration.

(2)   The number of parameters and options per parameter increases due to

the use of an identifier does not contained in a single field. And identifying a

configuration using an identifier having a plurality of digits, said configuration

having a plurality of parameters and each of said parameters having a plurality of

options, which is not taught or suggested by Witek.

(3)   Reach does not teach an identification with respect to assigning an

exponent to each digit of an identifier.

(4)   Dyer does not teach the inclusion of an illegal configuration if a multi-

parameter configuration is not valid based on the subject matter.

25.   Applicant respectfully disagrees with applicant's remark

        As to point 1, examiner does not see anywhere in the independent claims

claiming method accommodating records of devices having multi-parameter

configurations that facilitates storage, searching and retrieval of computerized

information by providing unique identification for every possible configuration.

As to point 2, examiner does not see anywhere in the independent claims claiming The number of parameters and options per parameter increases due to the use of an identifier does not contained in a single field. In fact, Mitek teaches the identifier having number of parameters and options per parameter just as claimed (see rejection above) and they are all in a single field of identifier. Mitek teaches identifying a configuration using an identifier having a plurality of digits, said configuration having a plurality of parameters (selection parameters, col. 13 lines 60 – col. 14 lines 15, and col. 15 lines 5 – 10) and each of said parameters having a plurality of options (each primary selection parameter has an associated record filed value, col. 15 lines 25 – 65).

As to point 3, Reach teaches an identification with respect to assigning an exponent to each digit of an identifier (a sequence of digits properly placed accompanied by a multiplier which is an exponent of 10, col. 2 lines 53 – 63).

As to point 4, Dyer teaches the subject matter having the multiparameter configuration includes an illegal configuration reference (particular parameters define how the symbol representation when the integer is in a warning condition, is an invalid value, col. 4 lines 52 – 67).

Conclusion

26.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

27.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Phuong N. Hoang whose telephone number is

(571)272-3763. The examiner can normally be reached on Monday - Friday 9:00 am to

5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Meng-Ai An can be reached on (571)272-3756. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Ph
May 23, 2005

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